

## **APPEAL HEARING MINUTES**

**1. Kind of meeting:** Appeal Hearings

**2. Date:** November 22, 2016 **Place:** Hearings Room

**3. Present:** Jeff Painter, Judith. Napier, Christopher Curtis, Henry Marsh, SAAG Kristina Alexander, Pam Boggs, Travis Hill, Melissa Custis & Kristie Miles

- 2:05 p.m. - Hearing was called to order
  - RIVERTON SHELL – Meresa Gebiesilasie, Member, Selamawit D. Taye, Designated Manager and Lois Cooke, Cashier
  - Lucky's in Brandermill – Sandeep Sandhar, President
- 2:25 p.m. - Closed session - With no further cases J. Painter moved that the Board enter closed session pursuant to 2.2-3711(A)(7) to receive advice from counsel and discuss matters pending the Board; H. Marsh seconded and motion passed unanimously.  
(Painter, J. Napier, Marsh) voted to go into closed session. Attendance at closed session was J. Painter, C. Curtis, J. Napier, H. Marsh, T. Hill, SAAG K. Alexander, and P. Boggs.
- 2:50 p.m. - J. Painter made a motion to return to open session, J. Napier seconded the motion and the Board voted unanimously to go back into open session. The Board then certified by voice vote that nothing was discussed in the closed session but legal matters pursuant to 2.2-3711(A)(7). Vote was unanimous.
  - Riverton Shell - J. Painter motioned to substantiate the charge and follow the initial decision of the hearing officer – The privileges of purchasing and selling alcoholic beverages shall be suspended for 30 days; provided, however, that upon payment of \$2000 as a civil penalty the suspension shall be terminated; J. Napier seconded the motion and the motion was carried unanimously.
  - Lucky's in Brandermill – J. Painter motioned to accept the addition evidence presented at the hearing (copies of certificates of training by employees of establishment) J. Napier seconded and the motion was accepted unanimously.  
J. Painter motioned to substantiate the findings of fact and conclusions of the hearing officer; but modify the penalty, based on the steps made by the licensee to ensure compliance. The privileges of purchasing and selling alcoholic beverages shall be suspended for 30 days; provided, however, that upon payment of \$4000 as a civil penalty, the suspension shall be terminated; H. Marsh seconded the motion and it was carried unanimously.
  - King Pinz – The Board withheld vote until next the appeal day.
- 3:05 p.m. – With no further business – J. Painter moved to adjourn for the day, H. Marsh seconded the motion and the motion was passed unanimously.